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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Scott Lamson on behalf of himself and all  
others similarly situated,

Plaintiff,

v.

The Hershey Company, Mars Inc.,  
Masterfoods U.S.A., Inc., Nestle S.A., and  
Nestle U.S.A., Inc.,

Defendant.

CASE NO. 08-cv-00153-JSW

**STIPULATION TO EXTEND DEADLINES  
IN THE SCHEDULING ORDER;  
[PROPOSED] ORDER EXTENDING  
DEADLINES IN THE SCHEDULING  
ORDER**

Honorable Jeffrey S. White

Plaintiff Scott Lamson ("Plaintiff"), by and through counsel of record, hereby submits this  
Stipulation to Extend Deadlines in the Scheduling Order.

WHEREAS the Plaintiff filed a Complaint in the above-captioned case on January 9,  
2008, alleging that Defendants violated federal antitrust laws by conspiring to fix the price of  
certain chocolate products [Docket No. 1];

WHEREAS Plaintiff's case and the other related federal court actions (collectively, "the

(No. )

Chocolate Cases”) are the subject of several motions to consolidate and transfer that are currently pending before the Judicial Panel on Multidistrict Litigation (“JPML”);

WHEREAS the parties’ executed a stipulation on February 6, 2008 to extend Defendants’ time to respond to the Complaint and to stay discovery pending a ruling by the JPML [Docket No. 3] (“the February 6, 2008 Stipulation”);

WHEREAS the Court granted the parties’ request to enter the February 6, 2008 Stipulation on February 20, 2008 [Docket No. 5];

WHEREAS the Court’s Order Setting Initial Case Management Conference and ADR Deadlines (“the Scheduling Order”) requires the parties to meet and confer regarding discovery and file an ADR certification on or before March 25, 2008, file a Rule 26(f) Report by April 8, 2008, and attend an initial case management on April 15, 2008 [Docket No. 2];

WHEREAS no party has sought to have the Chocolate Cases transferred to the Northern District of California and Plaintiff’s case is likely to be transferred by the JPML to another judicial district for pretrial proceedings; and

THEREFORE, PLAINTIFF AND DEFENDANTS, BY AND THROUGH THEIR RESPECTIVE COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:

The dates set forth in the Court’s Scheduling Order should be stayed until such time as the JPML rules on the pending motions to consolidate and transfer the Chocolate Cases and, if so ordered, pending transfer and coordination or consolidation in the transferee court.

IT IS SO STIPULATED.

Based on the above Stipulation, Plaintiff requests that the Court enter the proposed order attached hereto.

1 Respectfully submitted,

2 Dated: March 24, 2008

By: /s/ Lauren C. Russell

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21 *Masterfoods U.S.A., Inc.*

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CASE NO. 08-cv-00153-JSW

**[PROPOSED] ORDER EXTENDING  
DEADLINES IN THE SCHEDULING  
ORDER**

PURSUANT TO THE STIPULATION, IT IS HEREBY ORDERED THAT:

The dates set forth in the Court's Order Setting Initial Case Management Conference and ADR  
Deadlines should be stayed until such time as the JPML rules on the pending motions to  
consolidate and transfer the Chocolate Cases and, if so ordered, pending transfer and coordination  
or consolidation in the transferee court.

Dated:

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Honorable Jeffrey S. White